

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 4/28/03.

I. DISPUTE

Whether there should be reimbursement for 97265 – joint mobilization x 10 units, from 12/20/02 through 2/6/03 denied on the basis of “G” – global to another procedure performed the same date.

II. RATIONALE

The respondent’s letter, dated 6/17/03, did seek to add additional reasons for reductions of F, U and N. The file reflects this as the first notice of such additional reasons for denial/reduction.

Commission Rules 133.307(j)(2) states, “The response shall address only those denial Reasons presented to the requestor prior to the date the request for medical dispute resolution was filed with the division and the other party. Responses shall not address new or additional denial reasons or defenses after the filing of an request. Any new denial reasons or defenses raised shall not be considered in the review.”

The respondent did not meet this requirement by filing notice of new denial/reduction notice after the filing of the dispute. On this basis, the disputed services will be reviewed on the basis of “G” - global denial.

The respondent states that the disputed service 97265 – joint mobilization is global to the spinal manipulation performed the same day. The injured worker suffered a knee injury which required the joint mobilization. The manipulations were to the spine. Therefore, the services were provided to two separate areas of the body. This is supported by the SOAP notes submitted by the requestor. On this basis, reimbursement of 97265 joint mobilization is recommended.

III. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for 97265 – joint mobilization x 10 units in the amount of **\$430.00**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit **\$430.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 13th day of April 2004.

Noel L. Beavers
Medical Dispute Resolution Officer
Medical Review Division